

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

RICHARD GARZA, §
Plaintiff, §
§
V. § CAUSE NO.: 5:17-cv-01047-OLG
GENERAL STAR NATIONAL INSURANCE §
COMPANY and MICHAEL KOEHLER §
Defendants. §

JOINT ALTERNATIVE DISPUTE RESOLUTION REPORT

Pursuant to the Court's Scheduling Order [ECF No. 5] and Local Rule CV-88, Plaintiff Richard Garza ("Plaintiff") and Defendants General Star Indemnity Company, improperly named as General Star National Insurance Company, and Michael Koehler (collectively, "Defendants") file this Joint Alternative Dispute Resolution ("ADR") Report.

A. Status of Settlement Negotiations

The parties have been engaged in informal discussions regarding settlement negotiations. As per the court's scheduling order, Plaintiff submitted a written demand on March 9, 2018. Defendants submitted a written counter-offer of settlement on March 12, 2018, and Plaintiff has rejected that offer. Settlement negotiation is currently continuing.

B. Identity of Persons Responsible for Settlement Negotiations for Each Party

On behalf of Plaintiff, Patrick C. McGinnis.

On behalf of Defendants, Kristin C. Cummings.

C. Appropriateness of ADR

If this matter does not settle with current informal efforts, the parties believe that this matter may be suitable for mediation with sufficient discovery being taken in this matter.

D. ADR Method and Provider

The parties have conferred through their counsel of record and agree that non-binding mediation is an appropriate ADR procedure for this case. The parties further agree to evenly share the cost of mediation. The parties have agreed mediate the case with:

Robert S. Trudeau
McAllister Plaza
9601 McAllister Freeway, Suite 1250
San Antonio, Texas 78216
Telephone: (210) 308-6688

Respectfully submitted,

By: /s/ Patrick C. McGinnis
Patrick C. McGinnis
Texas Bar No.: 13631900
Chad T. Wilson Law Firm, PLLC
455 E Medical Center Blvd, Ste 555
Webster, Texas 77598
Telephone: (832) 415-1432
Facsimile: (281) 940-2197

Attorney for Plaintiff

By: /s/ Kristin C. Cummings
Kristin C. Cummings
Texas Bar No.: 24049828
Zelle LLP
901 Main Street, Suite 400
Dallas, Texas 75202
Telephone: (214) 742-3000
Facsimile: (214) 760-8994

Attorney for Defendants

CERTIFICATE OF SERVICE

I certify that a true and correct copy of *Joint Alternative Dispute Resolution Report* has been forwarded to counsel of record listed below via Certified U.S. Mail, facsimile, hand delivery, email, or electronic service on this day April 5, 2018.

Kristin C. Cummings
Lindsey P. Bruning
ZELLE LLP
901 Main Street, Suite 4000
Dallas, Texas 75202
Telephone: (214) 742-3000
Facsimile: (214) 760-8994
kcummings@zelle.com
lbruning@zelle.com

/s/ Chad T. Wilson
Chad T. Wilson